IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 1126 (S/S) of 2006

Ranjeet Singh,
S/o Sri Hukum Singh
Resident of Village – Padumala,
P.O. – Debal,
District – Chamoli. **……Petitioner**

V e r s u s

1. State of Uttaranchal through District Education Officer, District – Chamoli.
2. Block Education Officer, Vikas Khand, Deval District – Chamoli.
3. Basic Shiksha Adhikari, Chamoli.
4. Gram Pradhan Village Panchayat Band, Deval, District – Chamoli.
5. Village Development Committee, Village Panchayat Ban, Vikas Khand, Deval District – Chamoli.
6. Assistant Basic Education Officer, Deval, Chamoli.

……..Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri S.S. Yadav, learned counsel for the petitioner and Sri Paresh Tripathi, learned counsel for State of Uttaranchal on behalf of respondents no. 1, 2, 3 and 6.

By means of this writ petition, the petitioner has prayed for the following reliefs:

I. *Issue a writ, order or direction in the nature of Mandamus directing the respondents to give appointment to the petitioner on the post of Shiksha Mitra in Primary School Bhiding Gram Panchayat Band, Vikas Khand Deval, District – Chamoli.*

II. *Issue any other writ, order or direction, which this Hon'ble Court may deem fit and proper under the circumstances of the case.*

III. *Award cost of the petition in favour of the petitioner.*

The facts narrated in the writ petition are that an advertisement was issued by Block Education Officer, Deval, District – Chamoli, on 17.08.2005 inviting applications for the post of Shiksha Mitra (Science) in Primary School, Bhiding, Gram Panchayat – Ban under general category.

The qualification prescribed for the post of Shiksha Mitra (Science) in the advertisement is that person must have graduation in two subjects form amongst Physics, Chemistry, Zoology, Botany and Mathematics.

Petitioner has made representation to the Gram Panchayat Shiksha Samiti on 17.06.2006 that since no eligible candidate is available for the post of Shiksha Mitra (Science) for Primary School, Bhiding, petitioner may be provided appointment on the post of Shiksha Mitra (Science) though he belongs to another gram Panchayat.

Learned counsel for the petitioner has submitted that petitioner has passed B.A. with History, Economics and Political Science and also passed B. P. Ed. Examination.

Since the petitioner does not have requisite qualification prescribed for appointment on the post of Shiksha Mitra (Science) as per advertisement, consequently, he is not entitled to be considered for appointment on the post of Shiksha Mitra (Science).

Writ petition lacks of merit, as such, is dismissed. No order as to costs.

(M.M. Ghildiyal, J)

August 19, 2006
SKSharma